REMARKS

Claims 1-73 are pending in the present application. Applicant amends claims 1, 7 13, 19, 31, 43, 55 and 57, and cancels claim 56. Applicant respectfully requests examination and consideration of pending claims 1-55 and 57-73.

Rejection of Claims 1-73 Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-73 under 35 U.S.C. § 103(a) as being unpatentable over Sassin (U.S. 6,449,260) in view of Alumbaugh (U.S. 6,442,592). Applicant respectfully disagrees.

Sassin discloses a mail queuing and forwarding system for customer inquiries sent to customer service centers. Sassin only discusses handling of messages that are incoming to the call distribution center, i.e., *from customers* to agents. The Examiner points out that Sassin teaches that an agent *will* provide a response message to a customer, or that an automatic acknowledgment *may* be sent to a customer. However, Applicant notes that there is no further teaching in Sassin as to how those response or acknowledgment messages are handled beyond sending them to a customer (e.g., no teaching as to if, how or where such messages would be stored or subsequently produced). It is therefore mere conjecture to discuss how Sassin might handle such messages beyond their initial transmission.

Alumbaugh discloses a transaction processing system serving multiple agents from a joint email account. Alumbaugh maintains a transaction history, and facilitates review of prior related messages. However, as will be discussed further below, the teachings of Alumbaugh, alone or in combination with Sassin, fail to teach or suggest all elements of the claimed invention.

1.   <u>Claims 1-18: The Cited Art Does Not Teach Storing a Template Reference</u>

With respect to independent claims 1, 7, 13, Applicant respectfully submits that Sassin and Alumbaugh, either alone or in combination, fail to teach or suggest storing a reference to a template used to generate a first message, wherein the template comprises standardized message text. The cited art further fails to teach or suggest using this template to regenerate the first message. An advantage of certain embodiments of the invention is that, for messages generated using a template with standardized message text, additional copies of the standardized message text need not be stored within a copy of each message, reducing memory requirements for the email system. Rather, a reference to the template is stored, facilitating later regeneration of the email message from the original template.

In the current action, the Examiner refers to the template discussed in column 8, lines 39-49 of Sassin to teach all template-related elements. Applicant contends that the template of Sassin is merely a HTML webpage template with a

display component for displaying an e-mail message and some user interface components. The template in Sassin is therefore limited to displaying the e-mail message, without reference to the actual content of the message. In contrast, the invention embodiments of claims 1, 7 and 13 recite that the template comprises standardized message text. In the context of Sassin's specification, the template of Sassin fails to teach or suggest the template of claims 1, 7 and 13.

Further, Claims 1, 7 and 13 recite storage of a reference to a template used to generate the first message. The cited art fails to teach or suggest storing a reference to a template. As stated previously, Sassin does not teach how a first message to a customer is generated, merely hinting that it may be done. Sassin therefore fails to teach or suggest the storage of a reference to a template. Further, because the template discussed in column 8 of Sassin is display oriented and content neutral, Sassin lacks any motivation to store a reference to a template.

Alumbaugh also fails to teach or suggest storing a reference to a template. Further, because Alumbaugh does not address in detail how prior messages are stored, nor how they are reproduced, Alumbaugh also lacks any suggested motivation for storing a reference to a template.

For at least the above reasons, Applicant submits that independent claims 1, 7 and 13 are allowable, as are dependent claims 2-6, 8-12 and 14-18.

2.   <u>Claims 19-54: The Cited Art Does Not Teach Obtaining a Stored</u>

<u>Reference to a Template</u>

With respect to independent claims 19, 31 and 43, Applicant respectfully

submits that Sassin and Alumbaugh, either alone or in combination, fail to teach

or suggest obtaining a stored reference to a template comprising template data

associated with an electronic mail message previously transmitted to a customer.

In Sassin, an email reference is used to access a copy of the email message itself

from a set of queued messages received <u>from customers</u>. Sassin does not discuss

processing messages previously transmitted to a customer. There is therefore no

support or suggestion for a template comprising template data associated with

an electronic message previously transmitted to a customer, let alone a stored

reference to such a template. The claimed elements of obtaining a stored

reference to such a template, and obtaining the template using the stored

reference are beyond the scope of Sassin.

As with Sassin, Alumbaugh fails to teach or suggest a template

comprising template data associated with an electronic message previously

transmitted to a customer, or a stored reference to such a template. Thus, the

combination of Sassin and Alumbaugh still fails to teach or suggest the claimed

elements of obtaining a stored reference to such a template, and obtaining the

template using the stored reference.

In view of the above reasons, Applicant submits that claims 19, 31 and 43 are allowable over the cited references. Further, dependent claims 20-30, 32-42 and 44-54, being dependent on allowable base claims, are themselves allowable for at least the foregoing reasons.

3.   Claims 55, 57-63: The Cited Art Does Not Teach Accessing a Template

   From Multiple Templates or Storing a Template Reference

   With respect to independent claim 55, Applicant respectfully submits that Sassin and Alumbaugh, either alone or in combination, fail to teach or suggest: (a) in response to a triggering event, accessing a template from multiple templates, wherein each of the templates comprises standardized information associated with a type of triggering event; and (b) storing a reference to that template.

   Neither Sassin nor Alumbaugh teaches or suggests multiple templates, let alone templates having standardized information associated with a type of triggering event. The Examiner refers to column 8, lines 31-49, of Sassin to teach those elements. Applicant submits that Sassin discusses only the single HTML webpage template providing a display region for an email message. There is no reference to multiple templates, standardized information, or any suggestion of an association with a type of triggering event. Thus, the cited art fails to teach or suggest the embodiment of claim 55.

Neither Sassin nor Alumbaugh teaches or suggests storing a reference to the aforementioned template. The Examiner points to column 8, lines 26-49 of Sassin to disclose this element. However, the "identification number" in Sassin is an identifier for a customer's email message stored in a database. Sassin does not teach or suggest that the identification number refers to a template. Alumbaugh also fails to teach or suggest storing a reference to a template. Therefore, Applicant submits that independent claim 55 is allowable over the cited art. Dependent claims 55-63, being dependent upon an allowable base claim, are also allowable for at least the foregoing reasons.

4.   Claims 64-73: Prima Facie Case of Obviousness Not Satisfied

Claims 64-73 recite an apparatus comprising computer storage media and a server configured to regenerate one or more prior communications. Applicant respectfully submits that claims 64-73 are not coextensive with the preceding claims. However, the Examiner has not presented a reasoned basis for rejecting claims 64-73 beyond a generalized reference to the rationale used for analogous limitations in the preceding claims. This general rejection lacks any reasonable foundation against which Applicant might raise contrary arguments or reasoning. Applicant's ability to respond is therefore compromised.

To support a *prima facie* case of obviousness, an Examiner must provide a reasoned basis for the rejection, giving every element of a claim its full weight

and taking into account the combination of elements presented. The Examiner's

rejection of claims 64-73 not only fails to address the combination presented, but

also fails to identify which limitations in claims 64-73 are considered by the

Examiner to be analogous to which limitations in the preceding claims.

Applicant submits that a prima facie case for obviousness of claims 64-73

has not been satisfied, and the rejection should either be withdrawn or re-

presented in a form specifically addressing the claimed combination.

5.   <u>Claims 64-73: The Cited Art Fails to Teach Files Comprising References to</u>

<u>Templates Used in Prior Communications or a Server That Obtains</u>

<u>Previously Used Templates to Regenerate Prior Communications</u>

Applicant submits that claims 64-73 are allowable over the cited art for at

least the following reasons. With respect to independent claim 64, Applicant

respectfully submits that Sassin and Alumbaugh, either alone or in combination,

fail to teach or suggest: (a) a plurality of files respectively associated with a

plurality of customers, wherein those files comprise one or more references to

one or more templates used in one or more prior communications with the

respective customer; (b) a server configured to regenerate one or more prior

communications by obtaining one or more previously used templates based on

those references. Applicant submits that the Examiner's rejection of claims 64-73
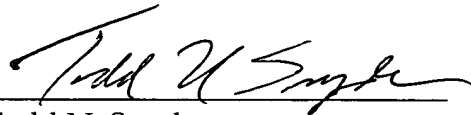
is traversed.

Conclusion

For at least the foregoing reasons, Applicant respectfully submits that

independent claims 1, 7, 13, 19, 31, 43, 55 and 64 are allowable over the cited

references. Further, claims 2-6, 8-12, 14-18, 20-30, 32-42, 44-54, 57-63 and 65-73,

being dependent upon respective allowable base claims, are themselves

allowable for at least the foregoing reasons.

Applicant respectfully requests that a Notice of Allowance be timely

issued in this case.

Very truly yours,

THE HECKER LAW GROUP, PLC

Date: <u>August 20, 2004</u>

Todd N. Snyder
Reg. No. 41,320

THE HECKER LAW GROUP, PLC
1925 Century Park East
Suite 2300
Los Angeles, California 90067
(310) 286-0377